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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,448	09/25/2003	Carl F. Dadson	038190/269365	5530

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EXAMINER

FLORES RUIZ, DELMA R

ART UNIT	PAPER NUMBER
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2828

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,448

Applicant(s)

DADSON ET AL.

Examiner

Delma R. Flores Ruiz

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/13/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-22 is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 5, 7-9, 10 - 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Modisette et al. (4,778,985).

Regarding claims 1 and 11, Modisette discloses in Figure 6, a laser light source (see Fig. 6 Character 72), a scanner (see Fig. 6, Character 76) that receives laser light from the laser light source and redirects the laser light, a processor that controls operation of the scanner to generate an infrared image (Column 12, Lines 56-61), and a target plate (see Fig. 6, Character 92) having a first side that receives the redirected laser light (see Fig. 6, Character 74) from the scanner and second side, opposite the first side, that displays at least one infrared image having portion at different respective temperature (Column 4, Lines 46 – 50).

FIG. 4

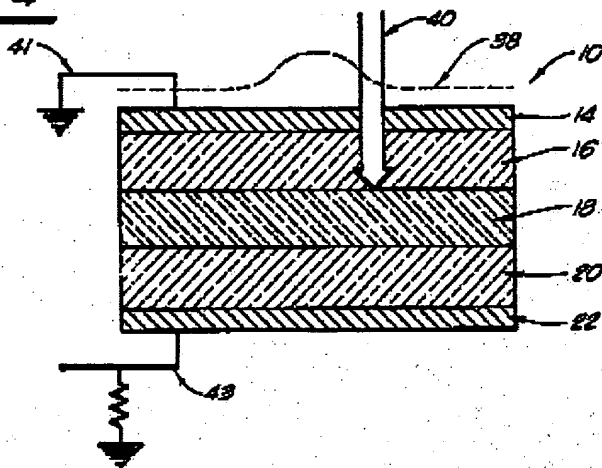
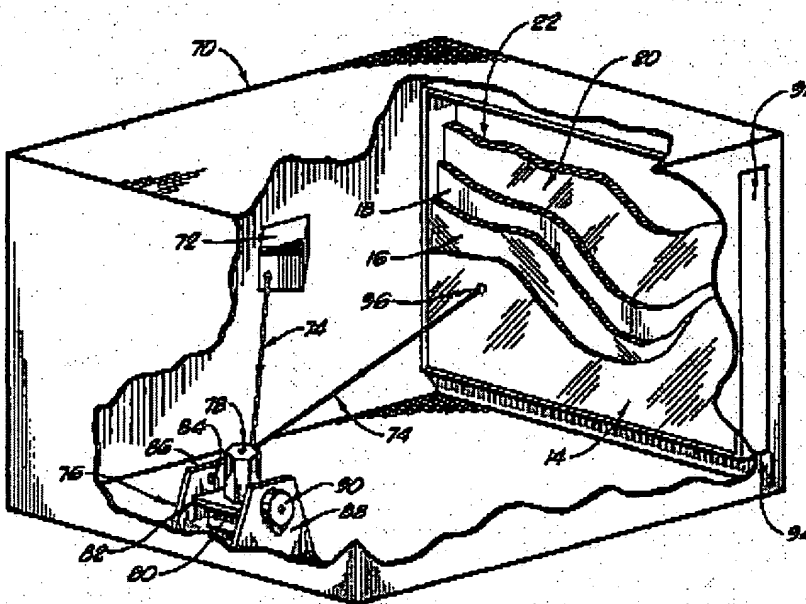


FIG. 6



Regarding claim 2, Modisette discloses in Figure 4, a solid-state laser light source (see Fig. 4 Character 40, Column Lines 4 – 5, the reference call “Helium-Cadmium laser” this type of laser is a solid state laser).

Regarding claim 3, Modisette discloses in Figure 7, a processor (see Fig. 7, Character 132 or 134) that controls output power of the laser light source (Column 13, Lines 10 – 32).

Regarding claim 4, Modisette discloses in Figure 7 an amplifier (see Fig. 7, Character 124) (that can be considered part of the scanner (see Fig. 7 Character 116)).

Regarding claim 5, Modisette discloses in Figure 4, a target plate (see Fig. 4, Character 10) with a transparent heat sink layer (see Fig. 4, Character 14) facing a scanner (layer is a heat sink because it is metallic), an insulator layer (see Fig. 4, Character 16) adjacent the transparent heat sink layer, and an emissive layer (see Fig. 4, Character 18) that is at least opaque and adjacent to the insulator layer (layer is emissive because it supports a current density).

Regarding claim 7, Modisette discloses in Figure 4, an insulator layer of heat-resistant glass (Column. 6, Lines 41-43).

Regarding claim 8, Modisette discloses in Figure 4, an emissive layer comprising carbon (Column 8, Line 16).

Regarding claim 9, Modisette discloses in Figure 7, a collimator (see Fig. 7, Character 106) disposed opposite the scanner relative to the target plate (see Fig. 7, Character 10).

Regarding claim 10 and 12, Modisette do not explicitly disclose the infrared image having at least one portion that is a temperature of at least 1000K. However, it was shown above that Modisette teach a electrically conductivity material including in the target plate. These materials will inherently have the thermal high conductivities (temperature of at least 1000K) as claimed, and therefore these limitations are taught by Modisette.

Regarding claim 13, Modisette discloses in Figure 7, a collimating (see Fig. 7, Character 146) the image for viewing by a sensor (see Fig. 7, Character 158).

Regarding claim 14, Modisette discloses since the layer (see Fig. 4, Character 14) is metallic, it acts as a heat sink that draws heat out of the target plate after scanning the laser light across the target plate to prevent the laser light from heating portions of the target plate other than the portion on which the laser light is incident.

Regarding claim 15, Modisette discloses a laser is controlled such that it transmits laser light at one or more power levels (Column 12, Lines 1-2).

Regarding claim 16, Modisette discloses in Figure 7 a generating an image by receiving laser light having a first power level to generate a portion of the image having a first temperature, receiving the laser light having a second power level to generate a portion of the image having a second temperature, and where the second power level and second temperature are less than the first (Column 12, Lines 1-3).

Regarding claim 17, Modisette discloses in Figure 7, a generating an infrared image by receiving the laser light for a first period of time to generate a portion of the image having a first temperature, receiving the laser light for a second period of time to generate a portion of the image having a second temperature, and where the second period of time and second temperature are less than the first period of time and first temperature (Column 12, Lines 16-17).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Modisette et al (4,778,985) in view of Paoli et al (3,680,001).

Regarding claim 6, Modisette discloses the claimed invention except for heat sink is made of diamond. However, it is well know in the art to apply the heat sink is made of diamond as discloses by Paoli in Column 2, Lines 44 – 45. Therefore, it would have been obvious to a person having ordinary skill in the art to apply the well know heat sink is made of diamond as suggested by Paoli to the infrared image of Modisette, because one of the property is a high thermally conductivity material see Column 2, Lines 44 - 45 of Paoli.

Allowable Subject Matter

Claims 18 – 22 are allowed.

The following is a statement of reasons for the indication of allowable subject matter. The following limitations are primarily responsible for distinguishing these claims over the prior art.

Regarding claims 18-22, the limitations concerning a target element capable of receiving the redirected laser light from the at least one scanning element on a first side

of the target element and capable of displaying at least one infrared image on a second side of the target element that is opposite the first side, and an infrared sensor element facing the second side of the target element wherein the processing element is also capable of determining whether the sensor element detects the at least one infrared image.

Response to Arguments

Applicant's arguments filed 02/13/2006 have been fully considered but they are not persuasive. Applicant argues the prior art lacks: "Modisette '985 patent does not teach or suggest displaying any type of infrared image having portion at different respective temperature". The examiner disagrees with the applicant arguments since the prior art does teach any type of infrared image having portion at different respective temperature. Modisette explain in this paragraph the result have a different band of light wavelength is well know in the art when you have a different band of light wavelength you have a different temperature (Column 4, Lines 46 - 50), as stated in the rejection above.

Applicant argues the prior art lacks: "Modisette '985 patent does not tech or suggest the display of an infrared image on a second side of the target plate opposite the side across which laser light has been scanned". The examiner disagrees with the

applicant arguments since the prior art does teach infrared image on a second side of the target plate opposite the side across which laser light has been scanned. Modisette '985 show in Figure 6, the laser light (74) was scanned by (76) and is well known in the art the infrared image on a second side of the target plate opposite the side across which laser light has been scanned (column 12, lines 20 – 61) as stated in the rejection above.

Conclusion

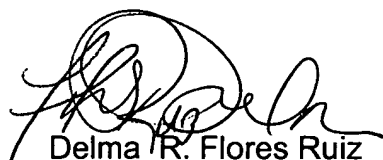
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Delma R. Flores Ruiz whose telephone number is (571) 272-1940. The examiner can normally be reached on M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Sun Harvey can be reached on (571) -272-1835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Delma R. Flores Ruiz
Examiner
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June 6, 2006



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